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Return To:
BRETT A. ZEKOWSKI
6 Harbor Park Drive
Port Washington, NY 11050

Virgil, John

Roman Catholic Diocese of Rochester
Villa of Hope formerly known as St. Joseph's Villa

State Fee Index Number	\$165.00	
County Fee Index Number	\$26.00	
State Fee Cultural Education	\$14.25	
State Fee Records	\$4.75	Employee: RR
Management		
Total Fees Paid:	\$210.00	

State of New York

MONROE COUNTY CLERK'S OFFICE
WARNING – THIS SHEET CONSTITUTES THE CLERKS
ENDORSEMENT, REQUIRED BY SECTION 317-a(5) &
SECTION 319 OF THE REAL PROPERTY LAW OF THE
STATE OF NEW YORK. DO NOT DETACH OR REMOVE.

ADAM J BELLO

MONROE COUNTY CLERK



SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF MONROE

SUMMONS

-----X
JOHN VIRGIL,

Plaintiff(s) designate
MONROE County as the place
of trial.

Plaintiff(s),

The basis of the venue is
Is plaintiff's residence

-against-

ROMAN CATHOLIC DIOCESE OF
ROCHESTER and VILLA OF HOPE formerly
Known as ST. JOSEPH'S VILLA ,

Plaintiff(s) reside at
184 Alexander Street
Rochester, NY 10467

Defendant(s).

Index No.:
Date Summons &
Complaint Filed:

-----X
To the above named Defendant(s)

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, or if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorney(s) within twenty days after the services of this summons exclusive of the day of service, where service is made by delivery upon you personally within the state, or within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Port Washington, NY
September 24, 2019


Brett A. Zekowski
Parker Waichman LLP
Office & Post Office Address:
6 Harbor Park Drive
Port Washington, NY 11050
(516) 466-6500
Our File # 9019606

TO: Roman Catholic Diocese of Rochester
1150 Buffalo Road
Rochester, NY 14624

Villa of Hope formerly known as St. Joseph's Villa
3300 Dewey Avenue
Rochester, NY 14616

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF MONROE

-----X
JOHN VIRGIL,

Plaintiff(s),

-against-

ROMAN CATHOLIC DIOCESE OF ROCHESTER
and VILLA OF HOPE formerly known as ST.
JOSEPH'S VILLA ,

Defendant(s).

VERIFIED COMPLAINT

Index No.:

Jury Trial Demanded

-----X

Plaintiff, John Virgil, by his attorneys Parker Waichman LLP, complaining of the defendants, respectfully alleges, on personal knowledge as to himself and on information and belief as to all other matters, as follows:

1. At the time of the commencement of this action plaintiff, John Virgil, was a resident of the County of Monroe, State of New York.

2. At the time of the incident(s) giving rise to this complaint, plaintiff was a resident of the County of Monroe, State of New York.

3. This action is timely pursuant to CPLR 214-g.

4. At all times herein mentioned, defendant, Roman Catholic Diocese of Rochester, was a religious corporation organized pursuant to the Religious Corporations Law, with its principal office at 1150 Buffalo Road, Rochester, County of Monroe, State of New York.

5. At all times herein mentioned, defendant, Villa of Hope formerly known as St. Joseph's Villa (hereinafter referred to as "St. Joseph's Villa") was a religious corporation organized pursuant to the Religious Corporations Law, with its principal office at 3300 Dewey Avenue, Rochester, County of Monroe, State of New York.

6. At all times herein mentioned, defendant, Roman Catholic Diocese of Rochester, oversaw, managed, controlled, directed and operated defendant, St. Joseph's Villa.

7. At all times herein mentioned, defendant, St. Joseph's Villa, was a group home, now known as Villa of Hope, run by the defendant, Roman Catholic Diocese of Rochester, located at 3300 Dewey Avenue, Rochester, County of Monroe, State of New York.

8. At all times herein mentioned, defendant, Roman Catholic Diocese of Rochester, managed, supervised and controlled those who were employed or otherwise worked for defendant, St. Joseph's Villa, including, but not limited to staff, employees and other personnel and volunteers, both while they were on premises and engaged in off-premises activities related to their employment with defendant, St. Joseph's Villa.

9. At all times herein mentioned, defendant, St. Joseph's Villa, managed, supervised and controlled those who were employed or otherwise worked for defendant, St. Joseph's Villa, including, but not limited to staff, employees and other personnel and volunteers, both while they were on premises and engaged in off-premises activities related to their employment with defendant, St. Joseph's Villa.

10. From on or about January 1, 1972 through on or about December 31, 1974, plaintiff, an infant, was a resident in the group home, defendant, St. Joseph's Villa.

11. At all times herein mentioned, and relevant to the allegations set forth herein, Earl Grutman, was staff member, employee, counselor, teacher, volunteer or other personnel, assigned to defendant, St. Joseph's Villa by defendant, Roman Catholic Diocese of Rochester.

12. At all times herein mentioned, and relevant to the allegations set forth herein, Jerry Demma, was staff member, employee, counselor, teacher, caregiver, volunteer or other personnel, assigned to defendant, St. Joseph's Villa by defendant, Roman Catholic Diocese of Rochester.

13. At all times herein mentioned, and relevant to the allegations set forth herein, Robert Taggert, was a staff member, employee, counselor, teacher, caregiver, volunteer or other personnel, assigned to defendant, St. Joseph's Villa by defendant, Roman Catholic Diocese of Rochester.

14. At all times herein mentioned, and relevant to the allegations set forth herein, Samuel Facen, was a staff member, employee, counselor, teacher, caregiver, volunteer or other personnel, assigned to defendant, St. Joseph's Villa by defendant, Roman Catholic Diocese of Rochester.

15. At all times herein mentioned, and relevant to the allegations set forth herein, Joy Facen, was a staff member, employee, counselor, teacher, caregiver, volunteer or other personnel, assigned to defendant, St. Joseph's Villa by defendant, Roman Catholic Diocese of Rochester.

16. At all times herein mentioned, Earl Grutman, was employed by defendant, Roman Catholic Diocese of Rochester.

17. At all times herein mentioned, Earl Grutman, was employed by the defendant, St. Joseph's Villa.

18. At all times herein mentioned, Jerry Demma, was employed by defendant, Roman Catholic Diocese of Rochester.

19. At all times herein mentioned, Jerry Demma, was employed by the defendant, St. Joseph's Villa.

20. At all times herein mentioned, Robert Taggert, was employed by defendant, Roman Catholic Diocese of Rochester.

21. At all times herein mentioned, Robert Taggert, was employed by the defendant, St. Joseph's Villa.

22. At all times herein mentioned, Samuel Facen, was employed by defendant, Roman

Catholic Diocese of Rochester.

23. At all times herein mentioned, Samuel Facen, was employed by the defendant, St. Joseph's Villa.

24. At all times herein mentioned, Joy Facen, was employed by defendant, Roman Catholic Diocese of Rochester.

25. At all times herein mentioned, Joy Facen, was employed by the defendant, St. Joseph's Villa.

26. Through their position with defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Face, were put in direct contact with plaintiff, John Virgil, then an infant.

27. That on or about January 1, 1972 through December 31, 1974, Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen, sexually abused the plaintiff.

28. At all times herein mentioned, Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen, were under the management, supervision, employ, direction and/or control of defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa.

29. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, knew and/or reasonably should have known and/or knowingly condoned and/or covered up, the inappropriate and unlawful sexual activities of Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen, who sexually abused the plaintiff, John Virgil, while plaintiff, John Virgil, was an infant.

30. Defendant, Roman Catholic Diocese of Rochester, had the responsibility to manage, supervise, control and/or direct staff members, employees, counselors, teachers, caregivers, volunteers or other personnel assigned to defendant, St. Joseph's Villa.

31. Defendant, St. Joseph's Villa, had the responsibility to manage, supervise, control

and/or direct staff members, employees, counselors, teachers, caregivers, volunteers or other personnel assigned to defendant, St. Joseph's Villa.

32. At all relevant times, defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, had a duty not to aid pedophiles such as, Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen, by assigning, maintaining and/or appointing them to positions in which they would have access to minors.

33. At all relevant times, Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Face, used their position as a staff member, employee, counselor, teacher, caregiver, volunteer or other personnel to entice, take control of plaintiff, John Virgil, and sexually assault, sexually abuse or have sexual contact with plaintiff, John Virgil, while plaintiff was a minor.

34. Defendants, individually, jointly and/or severally, violated various New York statutes, including, but not limited to N.Y. Soc. Serv. Law §§413 and 420, which require school officials and teachers to report suspected cases of child abuse and impose liability for failure to report.

35. Plaintiff suffered physical and psychological injuries and damages as a result of his childhood sexual abuse by Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen .

36. As a direct result of defendants' conduct, plaintiff suffered and will continue to suffer great pain of body and mind, severe and permanent emotional distress and physical manifestations of emotional distress. As a result of his childhood sexual abuse, plaintiff has been prevented from obtaining the full enjoyment of life, has incurred and will continue to incur expenses for medical and psychological treatment, therapy and counseling and has incurred and will continue to incur loss of income and/or loss of earning capacity.

37. Because of his childhood sexual abuse, plaintiff, John Virgil, is unable to fully

describe all of the details of that abuse and the extent of the harm that he suffered as a result.

**AS AND FOR A FIRST CAUSE OF ACTION
NEGLIGENT HIRING, RETENTION, SUPERVISION AND/OR DIRECTION**

38. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 35 as if fully set forth herein.

39. The sexual abuse of children by adults, including staff member, employee, counselor, teacher, caregiver, volunteer or other personnel, is foreseeable.

40. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, at all relevant times represented and held out to the public, defendant, St. Joseph's Villa, to be safe places to reside and learn and participate in youth activities.

41. At all relevant times, defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, were each under an express and/or implied duty to protect and care for plaintiff, John Virgil.

42. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, negligently hired, retained, directed and supervised, Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen, because they knew or should have known that, Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen, posed a threat of sexual abuse of children such as plaintiff.

43. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, knew or should have known that Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen, had a propensity to engage in the conduct which caused plaintiff's injuries prior to or about the time of the occurrence of these injuries.

44. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, owed a duty of care to all minors, including plaintiff, who were likely to come under the influence or

supervision of Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen, in their role as staff member, employee, counselor, teacher, caregiver, volunteer or other personnel, to ensure that Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen, did not use their assigned positions to injure minors by sexual assault, sexual abuse or sexual contact with minors.

45. Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen, sexually assaulted, sexually abused and/or had sexual contact with plaintiff, John Virgil, on defendants' premises, including St. Joseph's Villa 3300 Dewey Avenue, Rochester, New York.

46. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, were put on notice of Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen's improper and inappropriate actions toward minors.

47. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, were negligent in failing to properly supervise Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen.

48. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, were negligent in failing to properly manage Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen.

49. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, were negligent in failing to properly control Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen.

50. At all relevant times, defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, were willful, wanton, malicious, reckless and/or outrageous in their disregard for the rights and safety of plaintiff.

51. As a direct and proximate result of defendants' above described omissions, plaintiff

has suffered and will continue to suffer the injuries described herein.

52. By reason of the foregoing, the defendants are liable to plaintiff jointly, severally and/or in the alternative, for compensatory damages and punitive damages, together with costs and interest in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A SECOND CAUSE OF ACTION
NEGLIGENCE/GROSS NEGLIGENCE**

53. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 50 as if fully set forth herein.

54. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, knew or negligently failed to know that Earl Grutman, Jerry Demma, Robert Taggert, Samuel Facen and Joy Facen, posed a threat of sexual abuse to children.

55. The acts of Earl Grutman, Jerry Demma, Robert Taggert, Samuel Facen and Joy Facen, as described above, were undertaken, enabled by, and/or during the course of their respective employment, assignment, appointment and/or agency with defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa.

56. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa:

- a. gave improper or ambiguous orders or failed to make proper regulations,
and/or employed improper persons in work involving risk of harm to others;
- b. failed to adequately supervise the activities of Earl Grutman, Jerry Demma,
Robert Taggert, Samuel Facen and Joy Facen;
- c. failed to adequately supervise and safeguard minors attending St. Joseph's
Villa;
- d. permitted and/or intentionally failed and/or neglected to prevent negligent or

tortious conduct by persons, whether or not their servants, agents or employees, upon premises under their control; and

- e. allowed the acts of omission and/or commission of any or all of the allegations set forth in this Complaint to occur.

57. At all relevant times, Earl Grutman, Jerry Demma, Robert Taggert, Samuel Facen and Joy Facen, was under the supervision, employ, direction and/or control of defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa.

58. At all relevant times, defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, were wanton, willful, malicious, reckless and outrageous in their disregard for the rights and safety of plaintiff, which conduct was equivalent to criminal conduct.

59. As a direct and/or indirect result of said conduct, plaintiff has suffered injuries and damages as described herein.

60. By reason of the foregoing, defendants jointly, severally and/or in the alternative are liable to plaintiff for compensatory damages and for punitive damages, together with interest and costs in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

THIRD CAUSE OF ACTION BREACH OF FIDUCIARY DUTY

61. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 58 as if fully set forth herein.

62. At all relevant times, there existed a fiduciary relationship of trust, confidence, and reliance between plaintiff, on the one hand. and defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, on the other, based upon the entrustment of plaintiff, while he was a minor child, to the care and supervision of the defendants and each of them, as a resident, invitee, attendee

or guest at defendant, St. Joseph's Villa. The entrustment of the plaintiff to the care and supervision of the defendants and each of them, while plaintiff was a minor child, required the defendants to assume a fiduciary role and to act in the best interests of the plaintiff and to protect him while he was a minor and vulnerable child.

63. Pursuant to their fiduciary relationship with plaintiff, defendants were entrusted with the well-being, care and safety of plaintiff.

64. Pursuant to their fiduciary relationship with plaintiff, defendants assumed a duty to act in the best interests of plaintiff.

65. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, breached their fiduciary duties to plaintiff.

66. At all relevant times, the actions and/or inactions of defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, were willful, malicious, wanton, reckless and outrageous in their disregard for the rights and safety of plaintiff.

67. As a direct result of defendants' conduct, plaintiff has suffered injuries and damages described herein.

68. By reason of the foregoing, defendants, jointly, severally and/or in the alternative are liable to plaintiff for compensatory damages and for punitive damages, together with interest and costs in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

FOURTH CAUSE OF ACTION BREACH OF NON-DELEGABLE DUTY

69. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 66 as of fully set forth herein.

70. When he was a minor, plaintiff, John Virgil, was placed in the care of defendants,

Roman Catholic Diocese of Rochester and St. Joseph's Villa, for the purposes of providing plaintiff with a safe environment in which to participate in youth activities and receive an education. There was thus created a non-delegable duty of trust between plaintiff and defendants.

71. Plaintiff, John Virgil, was a vulnerable child when placed in the care of defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa.

72. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, and each of them, were in the best position to prevent plaintiff from being abused and/or to have learned of the repeated abuse by Earl Grutman, Jerry Demma, Robert Taggert, Samuel Facen and Joy Facen, and to have stopped it.

73. As evidenced by the fact that plaintiff, John Virgil, was sexually abused as a minor child entrusted to the care of the defendants, these defendants breached their non-delegable duty to plaintiff.

74. At all relevant times, Earl Grutman, Jerry Demma, Robert Taggert, Samuel Facen and Joy Facen, was under the supervision, employment, direction and/or control of defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa.

75. As a result of the sexually abusive conduct of Earl Grutman, Jerry Demma, Robert Taggert, Samuel Facen and Joy Facen, plaintiff, John Virgil, suffered the injuries and damages described herein, the full extent of which is unknown at present.

76. By reason of the foregoing, defendants jointly, severally and/or in the alternative are liable to plaintiff for compensatory damages and for punitive damages, together with interest and costs in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**FIFTH CAUSE OF ACTION
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

77. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 74 above as if set forth at length herein.

78. As described above, defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, and Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen, acted in a negligent and/or grossly negligent manner.

79. The actions of defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, and Earl Grutman, Jerry Demma, Robert Taggart, Samuel Facen and Joy Facen, endangered plaintiff's safety and caused him to fear for his own safety.

80. As a direct and proximate result of the actions of defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, which included, but were not limited to, negligent and/or grossly negligent conduct, plaintiff suffered severe injuries and damages as described herein, including, but not limited to, mental and emotional distress.

81. By reason of the foregoing, defendants, jointly, severally and/or in the alternative are liable to plaintiff for compensatory damages and for punitive damages, together with costs and interest in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**SIXTH CAUSE OF ACTION
BREACH OF DUTY *IN LOCO PARENTIS***

82. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 79 as if set forth at length herein.

83. While he was a minor, plaintiff was entrusted by his parents to the control of the defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, for the purposes of providing plaintiff with an education and allowing him to participate in youth activities sponsored

by defendants. During the times that plaintiff was a resident and during the times that he participated in youth activities, he was under the supervision and control of defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa. These defendants, and each of them, at all relevant times and now, owed and owe a duty to children entrusted their care to act *in loco parentis* and to prevent foreseeable injuries.

84. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, breached their duty to act *in loco parentis*.

85. At all relevant times the actions of defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, were willful, malicious, wanton, reckless, negligent, grossly negligent and/or outrageous in their disregard for the rights and safety of plaintiff.

86. As a direct result of defendants' conduct, plaintiff, John Virgil, has suffered the injuries and damages described herein.

87. By reason of the foregoing, defendants jointly, severally and/or in the alternative, are liable to plaintiff for compensatory damages, and for punitive damages, together with interest and costs in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**SEVENTH CAUSE OF ACTION
BREACH OF STATUTORY DUTY PURSUANT TO NEW YORK
SOCIAL SERVICES LAW §§ 413, 420 TO REPORT ABUSE**

88. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 85 as if fully set forth herein.

89. Pursuant to N.Y. Social Services Law §§413, 420, defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, had a statutory duty to report the reasonable suspicion of abuse of children in their care.

90. Defendants, Roman Catholic Diocese of Rochester and St. Joseph's Villa, breached

that duty by knowingly and willfully failing to report reasonable suspicion of abuse by Earl Grutman, Jerry Demma, Robert Taggert, Samuel Facen and Joy Facen, of children in their care.

91. As a direct and/or indirect result of said conduct, plaintiff has suffered injuries and damages as described above.

92. By reason of the foregoing, defendants jointly, severally and/or in the alternative are liable to plaintiff for compensatory damages and punitive damages, together with costs and interest in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE, plaintiff demands judgment against defendants on each cause of action as follows:

- A. Awarding compensatory damages in an amount to be proven at trial, but in any event in an amount that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction;
- B. Awarding punitive damages to the extent permitted by law;
- C. Awarding prejudgment interest to the extent permitted by law;
- D. Awarding costs and fees of this action, including attorneys' fees, to the extent permitted by law;
- E. Awarding such other and further relief as to this Court may seem just and proper.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

Dated: Port Washington, New York
September 24, 2019

Yours, etc.



Brett A. Zekowski
Parker Waichman LLP
Attorneys for Plaintiff(s)
Office & Post Office Address
6 Harbor Park Drive
Port Washington, NY 11050
516-466-6500
Our File # 9019606

ATTORNEY'S VERIFICATION

STATE OF NEW YORK)
: ss :
COUNTY OF NASSAU)

Brett A. Zekowski, an attorney and counselor at law, duly admitted to practice in the Courts of the State of New York, affirms the following to be true under penalties of perjury:


I am an associate of the firm **Parker Waichman LLP** attorneys for the plaintiff(s) herein.

I have read the foregoing Complaint and know the contents thereof. Upon information and belief, I believe the matters alleged therein to be true.

The source of your deponent's information and the grounds of my belief are communications, papers, reports and investigations contained in my file.

The reason this verification is made by deponent and not by plaintiff(s) is that plaintiff(s) reside in a county other than the one in which your deponent's office is maintained.

Dated: Port Washington, NY
September 24, 2019


Brett A. Zekowski

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 10/07/2019

Index No.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF MONROE

JOHN VIRGIL,

Plaintiff(s),

-against-

ROMAN CATHOLIC DIOCESE OF ROCHESTER and VILLA OF HOPE formerly known as ST.
JOSEPH'S VILLA ,

Defendant(s).

SUMMONS AND VERIFIED COMPLAINT

Certification per 22NYCRR §130-1.1a

Brett A. Zekowski
Parker Waichman LLP
Attorneys for Plaintiff(s)
6 Harbor Park Drive
Port Washington, NY 11050
(516) 466-6500

To:
Attorney(s) for

Service of a copy of the within is hereby admitted.

Dated:
Attorney(s) for

PLEASE TAKE NOTICE

NOTICE OF

ENTRY that the within is a (certified) true copy of a entered in the office of the Clerk of the within named
Court on 2019 .

NOTICE that an Order of which the within is a true copy will be presented to the Hon. , one of the
OF
SETTLEMENT judges of the within named Court, at ,
, on
20 , at M.

Dated:
Parker Waichman LLP
Attorneys for Plaintiff(s)

TO: